



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 02-1059-A)

In re the Application of:

Gang Xue and Jan Van Houdt

Filing Date: October 7, 2003

Serial No.: 10/680,878

For: Single Bit Nonvolatile Memory Cell and
Methods for Programming and Erasing
Thereof

Examiner: To be assigned

Group Art Unit: 2818

Confirmation No.: 6424

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.47(a)

Sir:

Because Gang Xue, one of the inventors for the present application, ("the non-signing inventor") is either unwilling or unavailable to sign the oath and declaration under 37 C.F.R. § 1.63, and because attempts to secure the signature of the non-signing inventor were not successful after diligent effort, Applicants submit this Petition Under 37 C.F.R. § 1.47(a) to make application on behalf of the non-signing inventor.

As proof of diligence, Applicants submit the accompanying Declaration of Paul W. Churilla, attorney of record in the present application, including its Exhibits A - E setting forth the attempts to obtain the signature of the non-signing inventor.

Gang Xue's last known address is Yzermolenstraat 32, bus 237, 3001 Leuven, Belgium

Please charge the \$130 fee associated with this Petition under C.F.R. § 1.17(h) to Deposit Account No. 13-2490. Also, please charge any additional fees associated with this Petition, or credit any overpayments, to Deposit Account No. 13-2490.

07/08/2004 HLE333 00000083 132490 10680878

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Respectfully Submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date:

July 2, 2004

By:

Paul W. Churilla
Paul W. Churilla
Reg. No. 47,495